

AMENDED IN ASSEMBLY APRIL 6, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 750**

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**Introduced by Assembly Member Low**

February 25, 2015

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An act to ~~amend~~ *add* Section ~~462~~ *of 463* to the Business and Professions Code, relating to business and professions.

LEGISLATIVE COUNSEL’S DIGEST

AB 750, as amended, Low. Business and professions: *retired category*: licenses.

Existing law provides for numerous boards, bureaus, commissions, or programs within the Department of Consumer ~~Affairs~~, *Affairs* that administer the licensing and regulation of various businesses and professions. Existing law authorizes any of the boards, bureaus, commissions, or programs within the department, except as specified, to establish by regulation a system for an inactive category of license for persons who are not actively engaged in the practice of their profession or vocation. Under existing law, the holder of an inactive license is prohibited from engaging in any activity for which a license is required. *Existing law defines “board” for these purposes to include, unless expressly provided otherwise, a bureau, commission, committee, department, division, examining committee, program, and agency.*

This bill would additionally authorize any of the boards, bureaus, commissions, or programs within the ~~department, except as specified,~~ *department* to establish by regulation a system for a retired category of license for persons who are not actively engaged in the practice of their profession or vocation, and would prohibit the holder of a retired license from engaging in any activity for which a license is ~~required~~. *required,*

*unless regulation specifies the criteria for a retired licensee to practice his or her profession. The bill would authorize a board upon its own determination, and would require a board upon receipt of a complaint from any person, to investigate the actions of any licensee, including, among others, a person with a license that is retired or inactive.*

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Section 463 is added to the Business and*  
2     *Professions Code, to read:*

3     *463. (a) Any of the boards, bureaus, commissions, or programs*  
4     *within the department may establish, by regulation, a system for*  
5     *a retired category of licensure for persons who are not actively*  
6     *engaged in the practice of their profession or vocation.*

7     *(b) The regulation shall contain the following:*

8     *(1) The holder of a retired license issued pursuant to this section*  
9     *shall not engage in any activity for which a license is required,*  
10    *unless the board, by regulation, specifies the criteria for a retired*  
11    *licensee to practice his or her profession or vocation.*

12    *(2) The holder of a retired license shall not be required to renew*  
13    *that license.*

14    *(3) In order for the holder of a retired license issued pursuant*  
15    *to this section to restore his or her license to an active status, the*  
16    *holder of that license shall meet all the following:*

17    *(A) Pay a fee established by regulation.*

18    *(B) Not have committed an act or crime constituting grounds*  
19    *for denial of licensure.*

20    *(C) Comply with the fingerprint submission requirements*  
21    *established by regulation.*

22    *(D) If the board requires completion of continuing education*  
23    *for renewal of an active license, complete continuing education*  
24    *equivalent to that required for renewal of an active license, unless*  
25    *a different requirement is specified by the board.*

26    *(E) Complete any other requirements as specified by the board*  
27    *by regulation.*

28    *(c) A board may upon its own determination, and shall upon*  
29    *receipt of a complaint from any person, investigate the actions of*  
30    *any licensee, including a person with a license that either restricts*

1 *or prohibits the practice of that person in his or her profession or*  
2 *vocation, including, but not limited to, a license that is retired,*  
3 *inactive, canceled, revoked, or suspended.*

4 SECTION 1. ~~Section 462 of the Business and Professions Code~~  
5 ~~is amended to read:~~

6 ~~462. (a) Any of the boards, bureaus, commissions, or programs~~  
7 ~~within the department may establish, by regulation, a system for~~  
8 ~~an inactive and a retired category of licensure for persons who are~~  
9 ~~not actively engaged in the practice of their profession or vocation.~~

10 ~~(b) The regulation shall contain the following provisions:~~

11 ~~(1) The holder of an inactive or retired license issued pursuant~~  
12 ~~to this section shall not engage in any activity for which a license~~  
13 ~~is required.~~

14 ~~(2) An inactive license issued pursuant to this section shall be~~  
15 ~~renewed during the same time period in which an active license~~  
16 ~~is renewed. The holder of an inactive license need not comply with~~  
17 ~~any continuing education requirement for renewal of an active~~  
18 ~~license.~~

19 ~~(3) The renewal fee for a license in an active status shall apply~~  
20 ~~also for a renewal of a license in an inactive status, unless a lesser~~  
21 ~~renewal fee is specified by the board.~~

22 ~~(4) In order for the holder of an inactive license issued pursuant~~  
23 ~~to this section to restore his or her license to an active status, the~~  
24 ~~holder of an inactive license shall comply with all the following:~~

25 ~~(A) Pay the renewal fee.~~

26 ~~(B) If the board requires completion of continuing education~~  
27 ~~for renewal of an active license, complete continuing education~~  
28 ~~equivalent to that required for renewal of an active license, unless~~  
29 ~~a different requirement is specified by the board.~~

30 ~~(e) This section shall not apply to any healing arts board as~~  
31 ~~specified in Section 701.~~